



Express Mail No.: EL 451 593 604 US

*Sector*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Nehls *et al.*

*#3*

Serial No.: 09/428,674

Group Art Unit: 1644

Filed: October 27, 1999

Examiner: Not yet assigned

For: NOVEL HUMAN POLYNUCLEOTIDES  
AND POLYPEPTIDES ENCODED  
THEREBY

Attorney Docket No.:  
8535-029-999

**RESPONSE TO NOTICE OF MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

**BOX: Missing Parts**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the "Notice Of Missing Parts Of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on December 1, 1999, Applicants submit the following documents to complete the filing for the above-identified application:

1. A Declaration and Power of Attorney signed by the inventors in compliance with 37 CFR 1.63; and
2. A return copy of Notice to File Missing Parts of Application - Filing Date Granted.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Pennie & Edmonds LLP Deposit Account No. 16-1150:


1. The statutory basic filing fee	\$ 760.00
2. Extra fee for 1 independent claim	\$ 78.00
3. Surcharge Fee for filing declaration on a date later than the filing date of the application per 37 CFR 1.492(e)	<u>\$ 130.00</u>
<b>TOTAL</b>	<b>\$ 968.00</b>

The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 16-1150.

The documents submitted complete the filing of the above-identified patent application and justify the filing date of October 27, 1999. This form is being submitted in duplicate.

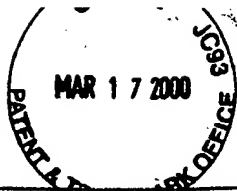
Respectfully submitted,

Date: March 17, 2000

  
Atulya R. Agarwal 40,887  
(Reg. No.)

For: Laura A. Coruzzi  
Reg. No. 30,742

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/428,674 10/27/99 NEHLS M 8535-029-999

020583

0242/1201

PENNIE AND EDMONDS

NOT ASSIGNED

1155 AVENUE OF THE AMERICAS

NEW YORK NY 10036-2711

**BEST AVAILABLE COPY**

DATE MAILED:

12/01/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 760.00

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

03/23/2000 KZEMDIE 0000067 161150 09428674

01 FC:101  
02 FC:102  
03 FC:105

760.00 CH  
78.00 CH  
130.00 CH